THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8193_ of 2007

Dated: 19.04.2007

Between:

Kola Lachaiah.

..... PETITIONER

AND

The Revenue Divisional Officer, Sircilla, Karimnagar, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.8193_ of 2007

ORDER:

The petitioner is allegedly having a share in the land comprised in survey No.535/1&2 admeasuring Acs.13.00 situated at Sarampalli Village, Sircilla Mandal, Karmnagar District. His grievance is that on an application made by respondents 3 to 9, second respondent issued pattadar passbooks (PPBs) in respect of said land in their favour without issuing notice to him (petitioner) and now is likely to issue title deeds (TDs). He, therefore, seeks a writ of Mandamus declaring the action of respondents

1 and 2 in issuing PPBs and TDs to the contesting respondents as illegal and arbitrary.

Against any order of recording authority including the order to issue PPBs, an appeal would lie to the Revenue Divisional Officer under Section 5(5) of the Andhra Pradesh Rights in Land & Pattadar Pass Books Act, 1971. Whether or not PPBs or TDs are issued in favour of respondents 3 to 9, it is always open to the petitioner to approach first respondent to prefer appeal. This writ petition is misconceived and the same is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

19th April, 2007

ghn